IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.2645 OF 2004

Mayaram Zuri Varma ..Petitioner.

Vs.

The New Great Eastern Spinning &
Weaving Mills Ltd & Ors. ..Respondents.

....

Mr. I.A. Engineer for the Petitioner.
Mr. S.C. Naidu i/b C.R. Naidu & Co. for the Respondents.

...

CORAM: DR. D.Y. CHANDRACHUD, J.

13th December, 2006.

P.C. :

After the Petition has been heard, Counsel appearing for the Petitioner and for the Respondents are agreed that the following order may be passed by the Court by consent and without further recording any reasons :

i) The order passed by the Labour Court on 18th December, 2002 in application (BIR) 59 of 1998 and the order of the Industrial Court dated 17th August, 2002 in Appeal (IC) 71 of 2002 are quashed and set aside. Application (BIR) No. 59 of 1998 is restored to the file of the 9th Labour Court at Mumbai for disposal;

ii) The Labour Court shall dispose of the BIR application on all issues including the issue as to whether the approach notice was submitted within the period of limitation. It will be open to the First Respondent to place a further affidavit setting out the relevant developments that have subsequently taken place on the record. All the rights and contentions of the parties are kept open.

The Petition is accordingly disposed of.